

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION

JUSTIN DAVID SHAFFER

VS.

CIVIL ACTION NO. 2:13cv37-KS-MTP

THE STATE OF MISSISSIPPI AND  
CHRISTOPHER P. EPPS

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge entered herein on October 29, 2013, after referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation be, and the same hereby is, adopted as the finding of this Court, and the Respondent's Motion to Dismiss [7] is **denied**. Respondents are ordered to respond to the arguments raised in the habeas petition within twenty (20) days of the date of this Order, making said responses due on or before December 17, 2013.

SO ORDERED, this the 27<sup>th</sup> day of November, 2013.

*s/Keith Starrett*  
UNITED STATES DISTRICT JUDGE